(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

APPLICATION FOR APPOINTMENT OF ARBITRATOR NO.13 OF 2004

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. Zeller D'Souza, Advocate for the applicant.

Mr. A.N.S. Nadkarni, Advocate General with Mr. H.D. Naik, Addl. Govt. Advocate for the respondent.

CORAM : B.H. MARLAPALLE, J.

DATE : 21ST OCTOBER, 2004.

P.C.

Heard Mr. Zeller D'Souza, the learned Advocate for the applicant and Mr. A.N.S. Nadkarni, the learned Advocate General with Mr. H.D. Naik, the learned Addl. Government Advocate for the respondent.

2. This is an application filed under Section 11(6) of the Arbitration Act, 1996 for appointment of an Arbitrator in accordance with the Agreement dated 16.5.2000. There are claims and counter claims of the recovery of

money and both the parties agree that these disputes could be referred to the Arbitrator for his decision. Both of them have unanimously suggested the name of the Honourable Mr. Justice G.D. Kamat, the retired Chief Justice of Gujarat High Court to act as the Arbitrator.

3. The application is, therefore, allowed for appointment of Arbitrator under Clause 20 of the Agreement dated 16/5/2000 and Mr. Justice G.D. Kamat, the retired Chief Justice of Gujarat High Court is, hereby, appointed as the sole Arbitrator. The other terms and conditions will be settled between the parties in consultation with the Arbitrator. The applicant-Company to deposit an mount of Rs.5,000/- with the Registry of this Court in terms of the Rules, within four weeks.

B.H. MARLAPPALE, J.

ssm.